

TAB

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

The Sunrider Corporation d.b.a.  
Sunrider International

Opposer,

v.

San Miguel Corporation,

Applicant.

Opposition No. 91159866

App. Serial No.: 76/151,605

Mark: **CALI 10**

Published for Opposition:  
November 12, 2002

Our Ref.: 61234-0008

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence and the identified enclosures are being deposited with the U.S. Postal Service as *First Class* mail, postage prepaid, in an envelope addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451

on JANUARY 6, 2005

By: E. D. Smith

**CONSENTED MOTION FOR EXTENSION OF  
DISCOVERY PERIOD AND TRIAL DATES**

Pursuant to 37 CFR 2.121(d) and the agreement of counsel, the parties hereby move the Trademark Trial and Appeal Board for an Order continuing and rescheduling the discovery period and the testimony periods for two (2) months as follows:

	<u>OLD DATE</u>	<u>NEW DATE</u>
THE PERIOD FOR DISCOVERY TO CLOSE:	January 9, 2005	March 9, 2005
Testimony period for party in position of plaintiff to close (opening thirty days prior thereto)	April 7, 2005	June 7, 2005



Testimony period for party in position of  
defendant to close (opening third days prior thereto)

June 8, 2005

August 8, 2005

Rebuttal testimony period to close  
(opening fifteen days prior thereto)

July 22, 2005

September 22, 2005

Applicant's counsel, Elliott C. Bankendorf, Welsh & Katz, Ltd., consented to this extension of time. This extension is not for purposes of delay, but rather to allow the parties to explore the possibility of settlement that if reached would terminate this proceeding and preserve the Board's valuable resources. This motion is being submitted in triplicate.

Respectfully submitted,  
Jeffer, Mangels, Butler & Marmaro LLP

Dated: January 6, 2005

By: Christine L. Lofgren  
Christine L. Lofgren  
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## CERTIFICATE OF SERVICE

I hereby certify that on January 6, 2005, a copy of the foregoing **CONSENTED MOTION FOR EXTENSION OF DISCOVERY PERIOD AND TRIAL DATES** is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Elliott C. Bankendorf, Esq.  
Welsh & Katz, Ltd.  
120 South Riverside Plaza  
22nd Floor  
Chicago, Illinois 60606

I declare under penalty of perjury that the foregoing is true and correct.

  
ETLIN P. PERRIOTT